

Splitting Land

If you are considering splitting your land for the purpose of sale, lease for more than one (1) year or building development, PA 591 of 1996 (Land Division Act) requires you to first obtain municipal approval before doing so.

The number of divisions or splits you are allowed to use without complying with the platting requirements contained within the act are determined based on the size of the original parent parcel or parent tract which "lawfully existed" on March 31, 1997.

The act allows four (4) divisions for the first ten (10) acres and one (1) division for each additional ten (10) acres contained within the original parent parcel or tract. For example, if you owned a forty (40) acre parcel on March 31, 1997, you would be allowed to divide that 40 acre parcel into 7 resulting parcels provided that those parcels also complied with the minimum requirements contained within applicable zoning ordinances.

How do I get approval of my proposed split(s)?

A procedure has been established to assist in the prompt and accurate processing of your land division requests allowing you to comply with the act without suffering through endless red tape or unanswered questions.

You will be asked to complete a simple land division application and provide a survey or drawing and legal description for each proposed division. The drawing or survey must include parcel line dimensions, existing and proposed road and utility easements, existing buildings and their approximate distance from the new parcel lines and the size of each parcel.

How long does the process take?

A municipality has 45 days to approve or deny a proposed land division. Usually the time required is less and depends on the extent of review needed.

If the proposed divisions are found to comply with all the requirements contained within the act, a Notice of Approval will be mailed to the applicant. This is a recordable document which can be recorded with the Register of Deeds thereby preserving the record of your land division approval.

Parcel divisions less than one acre will be subject to state administrative rules which require the health department to evaluate the site for on-site water supply and on-site sewage disposal systems.

An application will not be considered complete unless all applicable attachments are furnished and fees paid by the applicant.

If you have any questions regarding the act or process of reviewing proposed land divisions, feel free to contact our department.